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AUG 28 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
Civil DIVISION

U.S. DISTRICT COURT
MID. DIST. TENN.

CAVORIS Abernathy
(Name)
Booking # 97436
(Prison Id. No.)

(List the names of all the plaintiffs filing
this lawsuit. Do not use "et al." Attach
additional sheets if necessary.)

(Name)

(Prison Id. No.)

Civil Action No. _____
(To be assigned by the Clerk's Office.
Do not write in this space.)

Plaintiff(s)

v.

JURY TRIAL REQUESTED ☒ YES ☐ NO

Bucky Powland
(Name)
David Gyeze
(Name)

(List the names of all defendants
against whom you are filing this
lawsuit. Do you use "et al." Attach
additional sheets if necessary.)

Defendant(s)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS FILED
PURSUANT TO 42 U.S.C. § 1983

I. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: CAVORIS D Abernathy
Prison I.D. No. of the first plaintiff: Booking # 97436
Address of the first plaintiff: Current 1300 Lawson White DR
Secondary 1117 S Glade St Both Columbia TN 38401

Status of Plaintiff: CONVICTED () PRETRIAL DETAINEE (X)

2. Name of the second plaintiff: _____
Prison I.D. No. of the second plaintiff: _____
Address of the second plaintiff: _____

Status of Plaintiff: CONVICTED () PRETRIAL DETAINEE ()

(Include the name of the institution and mailing address with zip code for each plaintiff. If any plaintiff changes his or her address, he or she must notify the Court immediately. If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.)

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: Sheriff Bucky Rowland
 Place of employment of the first defendant: Mauvy County Sheriff
Dept / Sheriff of Mauvy County
 First defendant's address: 1300 Lawson White Dr
Columbia TN 38401

Named in official capacity? ☒ Yes ☐ No
 Named in individual capacity? ☐ Yes ☐ No

2. Name of the second defendant: transport officer David Gyeze
 Place of employment of the second defendant: Mauvy County Sheriff Dept
transport officer
 Second defendant's address: 1300 Lawson White Dr Columbia TN
38401

Named in official capacity? ☒ Yes ☐ No
 Named in individual capacity? ☐ Yes ☐ No

(If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, his or her place of employment, address, and the capacity in which you are suing that defendant. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide each defendant's proper name, place of employment, and address, the Clerk will be unable to serve that defendant should process issue.)

II. JURISDICTION

- A. Jurisdiction is asserted pursuant to 42 U.S.C. § 1983 (applies to state prisoners).
 Jurisdiction is also invoked pursuant to 28 U.S.C. § 1343(a)(3).

If you wish to assert jurisdiction under different or additional statutes, you may list them below:

Other defendants Against Whom Am Filing This Lawsuit
NAME of defendant

1st

Correction officer Penny Covington

Place of Employment of This defendant / Maury County
Sheriff Dept.

defendants Address / 1300 LAWSON white DR Columbia TN
38401. Named in official capacity? yes

NAME of defendant

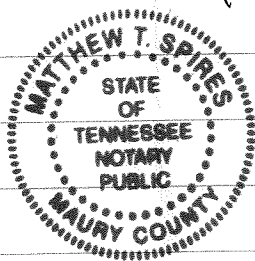
2nd

Correction officer Michael Hudson

Place of Employment of This defendant / Maury County
Sheriff Dept.

defendants Address / 1300 LAWSON white DR Columbia TN
38401. Named in official capacity? yes

X Matthew T. Spires



Sworn to and subscribed before me this
23 day of AUG 2017

[Signature], Notary

My Commission Expires 12-8-2020

III. PREVIOUS LAWSUITS (The following information must be provided by each plaintiff.)

- A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuit(s) in the United States District Court for the Middle District of Tennessee, or in any other federal or state court? Yes ☐ No ☒

- B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to the previous lawsuit:

Plaintiffs _____
Defendants N/A

2. In what court did you file the previous lawsuit? N/A

(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? N/A

4. What was the Judge's name to whom the case was assigned? N/A

5. What type of case was it (for example, habeas corpus or civil rights action)?
N/A

6. When did you file the previous lawsuit? (Provide the year, if you do not know the exact date.) N/A

7. What was the result of the previous lawsuit? For example, was the case dismissed or appealed, or is it still pending? N/A

8. When was the previous lawsuit decided by the court? (Provide the year, if you do not know the exact date.) N/A

9. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit? N/A
☐ Yes ☒ No

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

IV. EXHAUSTION

A. Are the facts of your lawsuit related to your present confinement?

☒ Yes ☐ No

B. If you checked the box marked "No" in question III.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain. N/A

C. Do the facts of your lawsuit relate to your confinement in a Tennessee state prison?

☐ Yes ☒ No

(If you checked the box marked "No," proceed to question IV.G. If you checked the box marked "Yes," proceed to question IV.D.)

D. Have you presented these facts to the prison authorities through the state grievance procedure? ☐ Yes ☒ No N/A

E. If you checked the box marked "Yes" in question III.D above:

1. What steps did you take? N/A

2. What was the response of prison authorities? N/A

F. If you checked the box marked "No" in question IV.D above, explain why not. N/A

G. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)? ☒ Yes ☐ No

H. If "Yes" to the question above, have you presented these facts to the authorities who operate the detention facility? ☒ Yes ☐ No

I. If you checked the box marked "Yes" in question III.H above:

1. What steps did you take? Grievance procedure, Serial Messages to All SGTs including Lt of Jail.

2. What was the response of the authorities who run the detention facility? I
Have not to receive a response on behalf of The Officers
involved And Its Been Thirteen days Since I filed my Grievance

J. If you checked the box marked "No" in question IV.H above, explain why not. _____

N/A

V. CAUSE OF ACTION

Briefly explain which of your constitutional rights were violated:

The right to be free of Assault under The Eighth Amendment
And to be protected from Harm by fellow prisoners

VI. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8 ½ inch x 11 inch paper. Write on one side only, and leave a 1-inch margin on all 4 sides.

On The date of 8/7/17 transport officer took me out of The Holding
cell That I was Being Housed in Due to Me Being on Super
protective custody Meaning I was to Be Around Nobody in The jail
in which I was placed on This status By The Head Staff Member of
The jail, And placed me in Restraints And placed me in A cell And
put other inmate inside and I was Attacked All The While The
Correction officers working Booking Corrections officer Penny Covington
And Correction officer Michael Hudson Clearly showed A Act of
Negligence By sitting Behind The desk Looking And Watching David
Chapere Put other inmates in The cell with me And My protective custody
status was wrote in Black Marker on A Dry Erase Board Right
Across from There desk Then after The Attack I was taken Back to
my Holding cell And told By officer Hudson That I couldnt go to
Court Because I Came out And Hit someone When The camera
Clearly shows Me Being Attacked And Its Also on camera Him telling
me I couldnt go to Court And They didnt Let Me go to Court
And The Guy That Attacked me did go to Court.

VII. **RELIEF REQUESTED:** State exactly what you want the Court to order each defendant to do for you.

I would like for Ricky Rowland to transfer me to another jail for my safety.

I would like Penny Covington & Micheal Hurlson to pay me \$3,000 dollars each for the negligence they showed in protecting me from harm by fellow prisoners (pain & suffering) in which I would also like transport officer Glynze to do the same as Penny Covington and Micheal Hurlson.

I request a jury trial. ☒ Yes ☐ No

VIII. **CERTIFICATION**

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) information, knowledge and belief.

Signature: Ravon's Abernathy Date: 8/21/17

Prison Id. No. Booking 97436

Address (Include the city, state and zip code.): Current - 1300 Lawson White Dr
Home Address 1117 South Glade St Columbia TN 38401

Signature: _____ Date: _____

Prison Id. No. _____

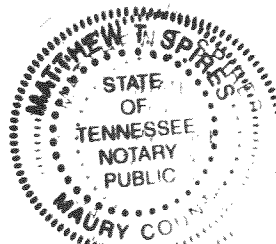
Address (Include the city, state and zip code.): _____

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information requested above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT AND (1) THE REQUIRED FILING FEE OR (2) COMPLETED APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES AND COSTS TOGETHER.

Complaints received without the required filing fee or application to proceed without prepayment of fees will be returned. Filing fees and applications to proceed without prepayment of fees submitted without a complaint will be returned.



Sworn to and subscribed before me this
23 day of Aug, 2017.
_____, Notary
My Commission Expires: 12-8-2020